

# Ordinance 2014-20

## SHORT TITLE:

An ordinance amending Section 14.47.020 (Permitted Uses) of the Provo City Code to include Standard Land Use #5950, the retail sale of sporting goods, bicycles, and toys, within the Specialty Support Commercial (SSC) zone.

## PASSAGE BY MUNICIPAL COUNCIL

### ROLL CALL

DISTRICT	NAME	MOTION	SECOND	FOR	AGAINST	OTHER	
CW 1	DAVID SEWELL		✓	✓			
CW 2	GARY GARRETT					Excused	
CD 1	GARY WINTERTON	✓		✓			
CD 2	KIM SANTIAGO			✓			
CD 3	HAL MILLER					Excused	
CD 4	KAY VAN BUREN				✓		
CD 5	STEPHEN HALES			✓			
				TOTALS	4	1	2


This ordinance was passed by the Municipal Council of Provo City, on the 15<sup>th</sup> day of July, 2014 on a roll call vote as described above. Signed this 17th day of July, 2014.

  
\_\_\_\_\_  
Chair

II

### APPROVAL BY MAYOR

This ordinance is approved by me this 21 day of July 2014.

  
\_\_\_\_\_  
Mayor

ORDINANCE 2014-20

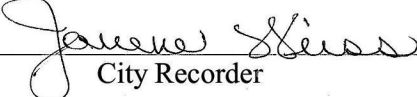
III

CITY RECORDER'S CERTIFICATE AND ATTEST

This ordinance was recorded in the office of the Provo City Recorder on the 21st day of July 2014, with a short summary being published on the 19th day of July 2014, in The Daily Herald, a newspaper circulated in Provo, Utah. I hereby certify and attest that the foregoing constitutes a true and accurate record of proceedings with respect to Ordinance Number 2014-20.



Signed this 21st day of July 2014.

  
\_\_\_\_\_  
City Recorder

ORDINANCE 2014-20.

AN ORDINANCE AMENDING SECTION 14.47.020 (PERMITTED USES) OF THE PROVO CITY CODE TO INCLUDE STANDARD LAND USE #5950, THE RETAIL SALE OF SPORTING GOODS, BICYCLES AND TOYS WITHIN THE SPECIALTY SUPPORT COMMERCIAL (SSC) ZONE. RIVERSIDE NEIGHBORHOOD AND CITY WIDE IMPACT. (14-0008OA)

WHEREAS, it is proposed that an amendment be made to Section 14.47.020 Permitted Uses in the Specialty Support Commercial (SSC) zone of the Provo City Code to include Standard Land Use #5950, the retail sale of Sporting Goods, Bicycles and Toys within the zone; and

WHEREAS, the Specialty Support Commercial (SSC) zone was enacted in 1995 to provide areas for the integration of limited commercial activities in planned residential, retirement, office park, or research park mixed use developments; and

WHEREAS, specialty support zones draw on very limited rather than wide trade areas, frequently supplemented by impulse buying drive-by traffic, and based on the gross leasable area such centers fall into the neighborhood size range; and

WHEREAS, the specialty support center typically offers the following kinds of goods and services: handcrafted/artisan items (often created on the premises), restaurants, food stores (i.e., grocery, health food, delicatessen, confectioners, gourmet products), art stores and galleries, book and music stores, travel agencies, florists, barber and beauty shops, pharmacy, laundry and dry cleaning services, etc.; and

WHEREAS, in a neighborhood meeting held by the Riverside Neighborhood, residents expressed concerns over allowing the selling of firearms and ammunition in a special shopping zone which is designed to be a neighborhood shopping area with limited uses; and

WHEREAS, on May 28, 2014 the Planning Commission held a duly noticed public hearing to consider the proposal and after such hearing the Planning Commission recommended to the Municipal Council that the proposed amendment be approved as set forth below; and

WHEREAS, on July 15, 2014 the Municipal Council held a duly noticed public hearing to receive public comment and ascertain the facts regarding this matter, which facts and comments are found in the hearing record; and

WHEREAS, after considering the Planning Commission's recommendation, and facts and comments presented to the Municipal Council, the Council finds (i) Provo City Code Section 14.47.020 (Permitted Uses) should be amended on the basis recommended by the Planning Commission and (ii) this action, as set forth below, reasonably furthers the health, safety and general welfare of the citizens of Provo City.

NOW, THEREFORE, be it ordained by the Municipal Council of Provo City, Utah, as follows:

PART I:

Section 14.47.020 of the Provo City code is hereby amended as follows:

**14.47.020. Permitted Uses.**

...

(3) Permitted Principal Uses

...

5950 Sporting Goods (excluding firearms and ammunition), Bicycles and Toys

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PART II:

- A. If a provision of this ordinance conflicts with a provision of a previously adopted ordinance, this ordinance shall prevail.
- B. This ordinance and its various sections, clauses and paragraphs are hereby declared to be severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid, the remainder of the ordinance shall not be affected thereby.
- C. The Municipal Council hereby directs that the official copy of the Provo City Code be updated to reflect the provisions enacted by this ordinance.
- D. This ordinance shall take effect immediately after being posted or published as required by law.

END OF ORDINANCE.